

REMARKS

Claims 1-12 are pending in this application. By this Amendment, claims 1-12 are amended. New claims 13-15 are added. Support for the amendment to independent claim 1 and new claims 13-15 can be found at least at page 9 of the specification. Further, claims 1-12 are amended to correct informalities and place the claims in better form with regard to 35 U.S.C. §112, second paragraph. As such, no new matter is added. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

I. Claim Objections

The Office Action objects to claims 1, 4, and 8 for allegedly containing informalities. Applicants respectfully traverse the objection.

By this Amendment, claims 1 and 8 are amended substantially as the Examiner suggests, such that they no longer contain informalities.

However, with respect to claims 4 and 8 and the expression "shape of a pole," Applicants respectfully submit that the claim is properly definite as the structure as disclosed. Specifically, at least, page 12 of the specification describes that the supporting pieces are folded inward such that they form a square pole. Accordingly, "shape of a pole" of claims 4 and 8, is sufficiently definite with respect to the structure that is disclosed in the specification.

Accordingly, Applicants respectfully request withdrawal of the objections.

II. Claim Rejections Under 35 U.S.C. §112

The Office Action rejects claims 1-12 under 35 U.S.C. §112, second paragraph as allegedly indefinite for failing to particularly point out and distinctly claim the subject matter therein. Applicants respectfully traverse the rejection.

By this Amendment, claims 1-12 are amended to correct the antecedent errors described in the Office Action with respect to claims 1, 2, 5, 9, 11, and 12, in addition to other instances not mentioned in the Office Action.

Accordingly, Applicants respectfully submit that claims 1-12 meet the requirements of 35 U.S.C. §112, second paragraph.

As such, Applicants respectfully request withdrawal of the rejection.

III. Claim Rejections Under 35 U.S.C. §103

The Office Action rejects claims 1-3, 6, 7, 9, and 10 under 35 U.S.C. §103(a) as allegedly unpatentable over Ridgeway '274 (U.S. Patent No. 6,302,274) in view of Stone (U.S. Patent No. 2,993,587); rejects claims 4, 8, and 12 under 35 U.S.C. §103(a) as allegedly unpatentable over Ridgeway '274 in view of Stone and Atsushi (Japanese Patent Document No. 11-208727); rejects claim 5 under 35 U.S.C. §103(a) as allegedly unpatentable over Ridgeway '274 in view of Stone and Paige (U.S. Patent No. 3,226,005); and rejects claim 11 under 35 U.S.C. §103(a) as allegedly unpatentable over Ridgeway '274 in view of Stone and Ridgeway '743 (U.S. Patent No. 4,852,743). Applicants respectfully traverse the rejections.

A. Independent Claim 1

Applicants respectfully submit that the applied references fail to disclose or render obvious, at least, a shock absorbing packaging material including a first side supporting piece and a second side supporting piece, wherein at least one of the first side supporting piece or second side supporting piece contains a hole as recited by independent claim 1.

Specifically, the applied references disclose a hole within either a first side supporting piece or the second side supporting piece. Applicants do note that cited reference Ridgeway '695 (U.S. Patent No. 5,678,695) describe holes. However, those holes are disposed within the packaging structure and do not anticipate or render obvious holes within the first side supporting piece or the second side supporting piece.

B. Dependent Claims 13-15

Applicants respectfully submit that the applied references fail to disclose or render obvious, at least the subject matter of new dependent claims 13-15. Specifically, because the

applied references fail to disclose a hole within at least one of the first side supporting piece or the second side supporting piece, they do not disclose or render obvious the features described within dependent claims 13-15.

C. Summary

Accordingly, the applied references fail to disclose or render obvious each and every element of independent claim 1 and dependent claims 13-15. As such, independent claim 1 and dependent claims 13-15 are patentable. Further, dependent claims 2-15 are also patentable, at least with their dependency on claim 1, as well as for the additional features they recite.

As such, Applicants respectfully request withdrawal of the rejections.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Kevin R. Davis
Registration No. 64,667

JAO:KRD/nlp

Date: April 26, 2010

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry of this filing; Charge any fee due to our Deposit Account No. 15-0461
